

EXHIBIT D

Highly Confidential - Subject to Further Confidentiality Review

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4

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6 IN RE: NATIONAL : HON. DAN A.
7 PRESCRIPTION OPIATE : POLSTER
8 LITIGATION :
9 :
10 APPLIES TO ALL CASES : NO.
11 : 1:17-MD-2804
12 :

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- HIGHLY CONFIDENTIAL -

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SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

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May 10, 2019

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1 staff-to-staff meetings. Seldom
2 to the member representatives
3 participate in those meetings. So
4 these are staff briefings.

5 BY MR. PIFKO:

8 MR. WEINSTEIN: Objection to
9 form. Foundation.

10 THE WITNESS: Again, that's
11 where I -- if they were provided,
12 again, I don't know what was
13 provided. This was looking at a
14 draft document of some kind. I am
15 not sure which specific questions
16 were provided or if any of the
17 questions were provided.

18 BY MR. PIFKO:

19 Q. Okay. But in your ordinary
20 practice as part of your lobbying
21 efforts, that's how questions would be
22 provided, you would have your staff
23 members meet with lawmakers' staff
24 members and that's when you would discuss

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1 your views and provide potential
2 questions?

3 A. Correct.

4 MR. WEINSTEIN: Objection to
5 form.

6 THE WITNESS: Sorry.

7 BY MR. PIFKO:

8 Q. Go a few more tactics down.

9 Number 6, it says, "Educate and seek
10 advocates for HDMA among pain community
11 who will assist in delivering our message
12 to Hill."

13 Do you see that?

14 A. I do.

15 Q. So you were going to, as
16 part of this effort, you were going to
17 also enlist others in the pain community
18 to communicate your message to lawmakers;
19 that's correct?

20 MS. CHARLES: Objection to
21 form.

22 THE WITNESS: That's what
23 this indicates.

24 BY MR. PIFKO:

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2 CERTIFICATE

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5 I HEREBY CERTIFY that the
6 witness was duly sworn by me and that the
deposition is a true record of the
testimony given by the witness.

7

8 It was requested before
9 completion of the deposition that the
witness, PATRICK KELLY, have the
opportunity to read and sign the
deposition transcript.

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11

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Michelle L. Gray

13 MICHELLE L. GRAY,
14 A Registered Professional
Reporter, Certified Shorthand
Reporter, Certified Realtime
Reporter and Notary Public

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Dated: May 13, 2019

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19 (The foregoing certification
20 of this transcript does not apply to any
21 reproduction of the same by any means,
22 unless under the direct control and/or
supervision of the certifying reporter.)

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